

MINUTES ADOPTED BY THE CITY COUNCIL

Greenville, NC
December 5, 2005

The Greenville City Council met in a regular meeting on the above date at 6:00 PM in the City Council Chambers, third floor of the Municipal Building, with Mayor Robert D. Parrott presiding. The meeting was called to order, followed by the invocation by Mayor Pro-Tem Mildred A. Council and the pledge of allegiance to the flag. The following were present.

Mayor Robert D. Parrott
Mayor Pro-Tem Mildred A. Council
Council Member Ray Craft
Council Member Pat Dunn
Council Member Rose H. Glover
Council Member Chip Little
Council Member Larry Spell
Wayne Bowers, City Manager
Wanda T. Elks, City Clerk
David A. Holec, City Attorney

APPROVAL OF AGENDA

City Manager Bowers suggested the rearranging of several items on the agenda.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to approve the agenda with the suggestions made by the City Manager. Motion carried unanimously.

COOPERATION WITH THE PITT COUNTY BOARD OF EDUCATION FOR EXPANSION OF SADIE SAULTER ELEMENTARY SCHOOL

City Manager Bowers stated that the City Council previously approved staff moving forward on negotiating a cooperation agreement for the expansion of Sadie Saulter School and the potential for a new school in the Bonners Lane area. Recently, staffs have met and decided to move forward with an agreement for Sadie Saulter School only. Staff recommends that they proceed with putting together an agreement on how the two bodies can work together.

Mr. Michael Dixon, Chairman of the Pitt County School Board, reaffirmed the Board's commitment to work with the City Council for revitalization of the area. Two years ago, they entered into a resolution of partnership, and he is here to reaffirm that agreement. He would like to join a joint committee of staff, City Council and other appropriate individuals in the community to work on this plan. It will be economically feasible for the School Board as well. It will be vital for the children. The School Board has a commitment to move forward with the plan to make it happen and hopes that the City will stay on board with them.

Council Member Little asked if this was for authorization to move forward, and City Manager Bowers responded that it is to get Council's blessing that the City will move forward with the agreement. A school of that size and magnitude will require additional land, and the School Board needs the City's expertise in acquiring the land. City Manager Bowers asked that the Council authorize staff to work on the expansion with the School Board.

Council Member Dunn asked what action is needed and how this fits into the Redevelopment Commission's role and responsibility of what they are doing.

City Manager Bowers stated that the drawing of the proposed school is expansion and renovation in the proposed Redevelopment Plan. The recommendation is to instruct staff to proceed with the School Board staff to put together that agreement. The agreement may be back to the Council at the same time as they get the Redevelopment Plan.

Council Member Glover stated that the citizens should know that the City is not buying property. The City is simply offering its expertise in acquisition and relocation.

City Manager Bowers stated that the City would use its expertise and experience with land acquisition and relocation to assist the School Board in meeting their needs. The School Board would be reimbursing the City for expenses. That would be in the agreement for Council's approval.

Council Member Glover requested that she and Council Member Council be kept abreast of ongoing meetings.

Motion was made by Council Member Craft and seconded by Council Member Little to authorize City staff to proceed, in conjunction with the staff of the Pitt County Schools, to prepare a Memorandum of Understanding relating to the expansion of the Sadie Saulter Elementary School for consideration by City Council and the Board of Education. Motion carried unanimously.

ADDITION TO AGENDA

Council Member Glover made a motion that the agenda be amended to add "liaison to Redevelopment Commission", as there is no official record of the Council having added or left off a liaison for the Commission. She recalled that the Council had decided not to have a liaison; however, it is not indicated in the minutes. Motion was seconded by Mayor Pro-Tem Council and carried unanimously.

SPECIAL RECOGNITIONS

Mr. Bob Thompson on behalf of the Support Team for Active Recreation (STAR) informed the Council that Congressman Walter B. Jones had requested that several flags be flown over the US Capitol on July 26, 2005 in honor of the fifteenth anniversary of the signing of the Americans with Disabilities Act. As recognition of the City, one of the flags is being presented to the

Mayor on behalf of the City. Mr. Thompson presented one of the flags to the Mayor and expressed appreciation for the City's support in the Americans with Disabilities Act.

PRESENTATION BY PUBLIC TRANSPORTATION AND PARKING COMMISSION

Mr. Bob Thompson stated that the Public Transportation and Parking Commission was created to advise City Council on the needs of citizens relating to public transportation throughout the City and parking needs within Uptown Greenville. During the past year, the Commission, along with City staff, wrote and received a grant that paid 100% of the cost to participate in Mobility Planning Services Institute in Washington, DC. Mrs. Harrington and Mr. Thompson attended the Institute this past March, which dealt with improving mobility options for people with disabilities and others who use shared transportation. GREAT participated in this year's Disability Awareness Resource Fair held at Minges by providing a bus on site and demonstrating and explaining the accessibility features to interested participants. Another effort supported by this Commission is the development of a video to promote GREAT while educating citizens on how to ride the bus. It is hoped that this will be available later this fiscal year. The City participated in a consolidated bid process with other North Carolina Transit Cities for the purchase of transit buses. GREAT currently has five low floor Gillig transit buses and two older lift-equipped buses. Two replacement buses have been ordered to replace the older buses with an anticipated delivery date of June 2006. Ninety percent of the purchase price of these buses is paid for by state and federal grant dollars! An Intermodal Transportation Center Feasibility Study is currently in progress to determine the need for a transportation center that would accommodate a range of transportation services to better serve the region. This study should be complete by next spring. Progress continues on recommendations of the Regional Transit Feasibility Study that involved the City, County, East Carolina University, Pitt County Memorial Hospital and the North Carolina Department of Transportation. A "working group" is being formed specifically to address future mergers and/or the formation of a Public Transportation Authority.

Mr. Thompson continued by stating that last fiscal year, GREAT's ridership was over 203,000 passenger trips, an increase from the previous years. To date, ridership for this fiscal year is up by over 7,000 passenger trips and if this trend continues, there will be a significant increase in ridership, perhaps as much as ten percent! The Public Transportation and Parking Commission recognizes the overall benefit public transportation provides to the entire community and looks forward to continuing efforts to ensure affordable and quality public transportation in the community. The Public Transportation and Parking Commission also advises on parking related issues in the Uptown Area. Parking issues addressed by the Commission include public lot usage for both leased and visitor spaces, balancing the mix of visitor vs. leased spaces. The Commission also addresses issues relative to parking limits and fines. The Commission believes that parking availability is key to attracting businesses uptown. The Commission strongly supports efforts to provide convenient and accessible parking in the Uptown Area. In light of this, the Commission supported the relocation of approximately 40 leased spaces from the heart of uptown to a perimeter lot at Greene and Fourth Streets. In addition, two parking lots were combined to expand the Crepe Myrtle Lot, creating ten additional leased parking spaces. Two City owned lots (Texaco and Moseley) were resurfaced and new signs and striping installed. The Public Transportation and Parking Commission is very interested in efforts to ensure the

vitality of Uptown and the livability of the community for all citizens. By continuing to improve parking in the uptown and providing a high quality public transportation system throughout the City, Greenville will be a better place to live and work.

APPOINTMENTS TO BOARDS AND COMMISSIONS

Community Appearance Commission

Motion was made by Council Member Dunn and seconded by Council Member Spell to appoint Brenda Ernest to fill an unexpired term expiring April 2006 replacing Lawrence Spell, who resigned due to his installation as a City Council Member. Motion carried unanimously.

Human Relations Council

Council Member Glover asked that this appointment be continued in order to allow time for more applications to be submitted.

Police Community Relations Committee

Council Member Craft announced that he had appointed Ronald Steven Mullis, Sr. to the Police Community Relations Committee for a first two-year term that will expire October 2007 replacing Louis Hobbie, who resigned.

Redevelopment Commission

Motion was made by Council Member Craft and seconded by Council Member Little to appoint Dennis Mitchell to serve a first five-year term expiring November 2010 replacing Chris Darden, who resigned. Motion carried unanimously.

Youth Council

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Little to appoint the persons recommended by the Human Relations Council to the Youth Council. Those youth included:

J. H. Rose High School	Robyn Carter Austin Lamm Jack Hand
D. H. Conley High School	Waseem Ahmed Porsche Hunter
North Pitt High School	Samnita Stanley Timothy Croom
Farmville Central High School	Jonathan Fields Maria Johnson

South Central High School	Doriene Evans
Home Schooled Youth	Valencia Speight
Greenville Christian Academy	Ashlee Daniels
Human Relations Council	Ariel Lopez
	Ben Stephenson

Motion carried unanimously.

APPROVAL OF CONSENT AGENDA - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Spell to approve all the items under the consent agenda as listed below. Motion carried unanimously.

- (1) Minutes from the November 7, 2005 City Council meeting
- (2) Various tax refunds

<u>Name</u>	<u>Reason</u>	<u>Amount</u>
Jeffrey Hayes Mahoney	Prorate taxes on vehicle	\$110.88
- (3) Encroachment agreement with CCC Properties, LLC, to permit installation of a fiber optic cable within a portion of the rights-of-way of Hemby Lane and W. H. Smith Boulevard (Contract No. 1487)
- (4) Resolution endorsing intersection improvements at the intersection of US 264, Pactolus Highway (NC 33), and Greenville Boulevard (US 264A) (Resolution No. 05-92)

ORDINANCE REZONING TRIANGLE DEVELOPMENTS OF EASTERN CAROLINA. INC. PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF PACTOLUS HIGHWAY (NC HIGHWAY 33) AND MUMFORD ROAD FROM RA20 TO CG - ADOPTED

City Manager Wayne Bowers reported that notice of public hearing was published in The Daily Reflector on November 21 and November 28, 2005 setting this time, date and place for a public hearing to consider a request by Triangle Developments of Eastern Carolina, Inc. to rezone 2.48 acres located at the southwest corner of the intersection of Pactolus Highway (NC Highway 33) and Mumford Road, from RA20 to CG. The Planning and Zoning Commission, at its November 15, 2005 meeting, voted to approve the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that this is a request to rezone approximately 2.5 acres from Residential-Agricultural to General Commercial. The property is located at the intersection of Pactolus Highway and Mumford Road. North of the subject property is Philippi Church, Country Squire Subdivision and Floral Park Subdivision. To the south is the former Pinecrest Mobile Home Park, which is presently owned by the City. Most of the property is vacant with some commercial zoning and residential development. The property is impacted by the 100-year floodplain and to the south is the floodway. There is a recognized neighborhood focus area at the intersection of Mumford Road and Pactolus Highway. Both of these highways are considered connection corridors and major thoroughfares. This

rezoning would generate a net increase of 1,125 trips. Of those, 370 would be distributed west of Mumford Road, 185 west on Pactolus Highway, and 570 trips to the east on Pactolus Highway. The Land Use Plan Map recommends commercial zoning at the intersection. Staff has no objection to the request.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Glover to adopt the ordinance rezoning 2.48 acres located at the southwest corner of the intersection of Pactolus Highway (NC Highway 33) and Mumford Road, from RA20 to CG. Motion carried unanimously. (Ordinance No. 05-142)

ORDINANCE REZONING JARVIS MILLS PROPERTY LOCATED ALONG THE WESTERN RIGHT-OF-WAY OF CHARLES BOULEVARD, NORTH OF FOURTEENTH STREET, AND SOUTH OF THIRTEENTH STREET, FROM CN TO CDF - ADOPTED

City Manager Wayne Bowers reported that notice of public hearing was published in The Daily Reflector on November 21 and November 28, 2005 setting this time, date and place for a public hearing to consider a request by Jarvis Mills to rezone 0.191 acres located along the western right-of-way of Charles Boulevard, 180± feet north of Fourteenth Street, and 100± feet south of Thirteenth Street, from CN to CDF. At its November 15, 2005 meeting, the Planning and Zoning Commission voted to approve the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that this is a request to rezone property from Neighborhood Commercial to Downtown Commercial Fringe. The property is located along Charles Boulevard, with Fourteenth Street running east to west. To the south of the subject property is the Jolly Roger's Revenue Convenience Store; east is Duck-Thru Convenience Store and Kings' Arms Apartments. The existing Land Use Map indicates that at the intersection is commercial development. This property is considered Office. The property is not impacted by the 100-year floodplain. Charles Boulevard and Fourteenth Street are considered connector corridors and major thoroughfares. The Land Use Plan Map recommends commercial at the intersection of Charles Boulevard and Fourteenth Street with some Office/Institutional/Multi-Family transitioning to the north.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Craft and seconded by Council Member Little to adopt the ordinance rezoning 0.191 acres located along the western right-of-way of Charles Boulevard, 180± feet north of Fourteenth Street, and 100± feet south of Thirteenth Street, from CN to CDF. Motion carried unanimously. (Ordinance No. 05-143)

ORDINANCE REQUESTED BY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT (AS RECOMMENDED BY TASK FORCE ON PRESERVATION OF NEIGHBORHOODS AND HOUSING) REZONING PROPERTY (EXCLUDING STREET RIGHTS-OF-WAY) LOCATED WEST OF MEMORIAL DRIVE, SOUTH AND EAST OF BELVOIR HIGHWAY, AND NORTH AND SOUTH OF WEST BELVOIR HIGHWAY, FROM R9 TO R9S - ADOPTED

City Manager Wayne Bowers reported that notice of public hearing was published in The Daily Reflector on November 21 and November 28, 2005 setting this time, date and place for a public hearing to consider a request by the Planning and Community Development Department as recommended by the Task Force on Preservation of Neighborhoods and Housing to rezone 148± acres (excluding street rights-of-way) located west of Memorial Drive, south and east of Belvoir Highway, north and south of West Belvoir Highway, from R9 to R9S. The Planning and Zoning Commission, at its November 15, 2005 meeting, voted to approve the request.

Mr. Harry Hamilton, Chief Planner, delineated the property on a map and stated that this is a request that comes from the Task Force on Preservation of Neighborhoods and Housing. This rezoning request is from Strategy No. Six, which is to identify neighborhoods that are predominately single-family in character, but are zoned in a manner than would permit intrusion of duplex or multi-family uses and to rezone those neighborhoods to prohibit further intrusion. The property is currently zoned R9 and the requested zoning is for R9S. The area is approximately 148 acres. There is some RA20 zoning to the south of this subject tract. The area zoned R9 to the north and south of Greenfield Boulevard acts as a buffer from the neighborhood and heavy commercial area. Land uses in the area include single-family homes, vacant property, church property and recreation space. The property is somewhat impacted by the 500-year floodplain. There are approximately 141 owner-occupied dwellings and 32 rental properties. There are no nonconforming uses within the subject area. The intended outcome of this rezoning is to provide an added measure of neighborhood stability and to demonstrate the City's commitment to single-family neighborhood preservation, as part of a comprehensive housing revitalization strategy.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Alton Harris stated that he is in favor of the request to keep the development single-family instead of duplexes. The neighborhood association has been discussing this for years. He asked the Council to keep the mobile homes out, also.

There being no further comments, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Craft to adopt the ordinance rezoning 148± acres (excluding street rights-of-way) located west of Memorial Drive, south and east of Belvoir Highway, north and south of West Belvoir Highway, from R9 to R9S. Motion carried unanimously. (Ordinance No. 05-144)

ORDINANCE ANNEXING STATE OF NORTH CAROLINA PROPERTY LOCATED ON SOUTH SIDE OF NC HIGHWAY 43 (WEST FIFTH STREET) ALONG BOTH SIDES OF MACGREGOR DOWNS ROAD - ADOPTED

City Manager Wayne Bowers reported that notice of public hearing was published in The Daily Reflector on November 21, 2005 setting this time, date and place for a public hearing to consider a request by the State of North Carolina to annex 106.45 acres located on the south side of NC Highway 43 (West Fifth Street) along both sides of Macgregor Downs Road. This is a contiguous annexation.

Mr. Merrill Flood, Director of Planning and Community Development, delineated the property on a map and stated that the property is located in Voting District 1. The East Carolina University School of Nursing and Allied Health facilities are currently being constructed on a portion of the property. The remainder of the property is vacant and the proposed use is University facilities. The current population is 0, and the anticipated population at full development is 0.

Mayor Parrott declared the public hearing open and solicited comments from the audience. There being none, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to adopt the ordinance annexing 106.45 acres located on the south side of NC Highway 43 (West Fifth Street) along both sides of Macgregor Downs Road. Motion carried unanimously. (Ordinance No. 05-145)

ORDINANCE DESIGNATING PROCTOR HOTEL AND GROUNDS LOCATED AT 301 EVANS STREET AS A HISTORIC LANDMARK - ADOPTED

City Manager Wayne Bowers reported that notice of public hearing was published in The Daily Reflector on November 21 and November 28, 2005 setting this time, date and place for a public hearing to consider an ordinance to designate the Proctor Hotel and Grounds located at 301 Evans Street as a Historic Landmark.

Mr. Merrill Flood, Director of Planning and Community Development, delineated the property on a map and stated that the Proctor Hotel, LLC, has requested that the Proctor Hotel and Grounds, located at 301 Evans Street, be designated as a Historic Landmark. The Proctor Hotel, LLC, has provided the Planning and Community Development Department a survey and research report detailing the historical and architectural significance of the site. The survey and research report have been reviewed by the Eastern Office of the State Historic Preservation Office and has received a favorable recommendation as a local historic landmark. Owners of designated historic landmarks that are subject to property taxes may apply for an annual deferral of 50% of the property taxes as long as that property is designated and retains significance and integrity. Any exterior changes to the structure or grounds are subject to review by the Historic Preservation Commission. The Proctor Hotel is considered a contributing structure within the Downtown Commercial National Register Historic District. The building is significant for the architecture as well as a well-preserved example of an early 20th Century commercial building.

According to the Eastern Office of the State Historic Preservation Office, "The Proctor Hotel has the requisite special significance and integrity for landmark designation". The Historic Preservation Commission recommended approval of the request.

Mayor Parrott reminded the Council that approval of this item would make the property owner negligible for an annual deferral of \$3,894.66 in City property taxes based on the current assessed value.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Gerald Blood, the Regional Director of Self Help, stated that it is great to be a part of the historic preservation of downtown. He thanked everyone for their efforts.

There being no further comments, the public hearing was closed.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Spell to adopt the ordinance designating the Proctor Hotel and Grounds as a Historic Landmark. Motion carried unanimously. (Ordinance No. 05-146)

RESOLUTION CLOSING A PORTION OF MOYE BOULEVARD LOCATED NORTH OF STANTONSBURG ROAD - ADOPTED

City Manager Wayne Bowers reported that a notice of public hearing was published in The Daily Reflector on November 21 and November 28, 2005 setting this time, date and place for a public hearing to consider a resolution to close a portion of Moye Boulevard located north of Stantonburg Road.

Mr. David Brown, City Engineer, stated that Pitt County Memorial Hospital has petitioned the City to close a portion of Moye Boulevard to expand the facility with the construction of a new cardiovascular center. To facilitate this closure, Pitt County Memorial Hospital would be responsible for providing the necessary right-of-way and constructing a realigned segment of Moye Boulevard. During the November 7, 2005 meeting, City Council adopted a resolution of intent to close the portion of Moye Boulevard in question and established December 5, 2005, as the public hearing date. In accordance with State Statutes, the resolution of intent was advertised in The Daily Reflector on four consecutive weeks (November 10, 14, 21 and 28, 2005). Signs displaying the notice of a public hearing, the adopted resolution of intent, and a site map were posted on November 10, 2005 at two prominent locations on each side of the street section to be closed. The resolution was also delivered by certified mail to adjoining property owners as listed on the Pitt County tax records. The petitioner has posted an appropriate bond for the required improvements to close this portion of Moye Boulevard and construct the relocated Moye Boulevard. The Order to Close this portion of Moye Boulevard is contingent upon the following conditions and shall not become effective until both are met:

1. Recordation of a final plat for the Moye Boulevard relocation in accordance with the provisions of the City's subdivision regulations. The final plat is to be based upon the preliminary plat for the Moye Boulevard relocation as approved by the Planning and Zoning

Commission of the City of Greenville at its September 20, 2005 meeting or a subsequent preliminary plat for the Moye Boulevard relocation approved by the Planning and Zoning Commission. Pitt County Memorial Hospital shall sign the plat, thereby offering the dedication of the right-of-way and public improvements of the property currently owned by Pitt County Memorial Hospital to the City.

2. The completion and acceptance of the right-of-way and public improvements associated with the Moye Boulevard relocation in accordance with City regulations.

City staff has reviewed the request and, based on input from all departments, there are no objections to the closing, subject to the conditions identified above being met.

Mayor Parrott declared the public hearing open and solicited comments from the audience.

Mr. Tim McDonnell of University Health Systems expressed appreciation to the Council for their support of this issue.

There being no further comments, the public hearing was closed.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to adopt the resolution closing a portion of Moye Boulevard to facilitate the construction of Pitt County Memorial Hospital's new cardiovascular center and a realigned segment of Moye Boulevard. Motion carried unanimously. (Resolution No. 05-93)

PUBLIC COMMENT PERIOD

Mr. Frank Schenck, Vice Chairman of Greenville Public Access TV Corporation, stated that convergence is the idea that digital broadcasting is coming into its own now and is before Congress right now. Convergence means television, entertainment television, all television, Internet protocol and broadband. It is all in the news because there are three great entities for communication in this country, broadcast media (ABC, NBC, CBS, etc.), major cable companies (Time Warner, Comcast, and Cox Communications) and telecoms (Verizon and SBC-soon to be known as AT&T). Those three entities are fighting in Congress to take over all communications. Mr. Schenck gave examples of when people cannot communicate including the recent warning from the 911 Commission, Twin Towers Bombing, and Hurricane Katrina. He stated that Mayor Nagin is going to give free wireless communication to the people of New Orleans. The people of San Francisco are working on it and people in Philadelphia are going to have free wireless transmission. Greenville should be aware of and should promote free wireless transmission. He is hoping that the City Council will resurrect the Cable Commission, change it to the Convergence Commission, and move forward.

CITY LICENSE FEES CHARGED FOR TRADE SHOWS AT GREENVILLE CONVENTION CENTER – NO ACTION TAKEN

City Manager Bowers stated that during the City Council meeting public comment period on September 8, 2005, Glenn Bowen requested that the City Council review the current procedures

for charging business licenses to individuals conducting gun and knife shows at the Greenville Convention Center. The City Council requested that staff provide a report on the business license procedures for trade shows conducted at the Convention Center. Trade shows conducted at the Convention Center are subject to the City's licensing requirements for transient or itinerant merchants. Section 11-11-2(a)(6) of the City Code provides an exemption from City business licensing for any person, firm or corporation who otherwise meets the definition of an itinerant merchant or vendor, but who is part of a group of ten or more merchants selling at a shopping area or trade show, and where such sales activities do not last longer than seven days. Any gun or knife show at the Convention Center lasting less than seven days qualifies for this exemption. City staff has contacted seven other cities that have convention centers and local trade shows. This research indicates that these other cities treat trade shows in several different ways. The City of Raleigh does not require a license to be issued for trade shows. Greensboro requires the promoter of the trade show to purchase an exhibition license for \$200 per show and the individual vendors fall under this blanket license. In Winston-Salem, the promoter is given the option of purchasing a specialty market license fee for \$200 or each vendor must obtain a license for \$50 per show. In Fayetteville, the City requires that individual vendors obtain a \$10 license fee for each trade show. The City of Charlotte requires that if the promoter gets an exhibition license, the fee is based on gross receipts of the show with a maximum of \$2,000 and the individual vendors then are not required to obtain a license. If the promoter in Charlotte does not get an exhibition license, each vendor is responsible for obtaining an itinerant merchants license for a fee of \$200 per show. In New Bern, each vendor is responsible for obtaining a license fee for \$50 per show. The City of Wilmington charges the promoter a blanket itinerant merchant license of \$100; and the individual vendors are not required to obtain a license. After Mr. Bowen contacted the City staff last summer, a meeting was conducted with representatives of the convention center. At that time, the convention center representatives voiced concern about charging additional license fees to promoters renting the convention center and to individual vendors of trade shows. The convention center management feels that any additional charges would make the convention center less competitive with other potential venues for such trade shows. Five gun and knife shows are booked for the convention center in 2006.

Ms. Rhesa Tucker, Director of the Convention Center, stated that there are numerous shows throughout the year. The fee is the same for all vendor and consumer type shows.

Concerns expressed and questions/answers given during this period include:

- Is a sales tax charged?
(RESPONSE: Individual vendors pay a sales tax.)
- Is there a liability issue?
(RESPONSE: All promoters have insurance policy as well as the one through the convention center. The convention center is named in the policy provided.)
- Charging the non-profits a fee that are having fundraisers such as the Holiday Show might be discouraged from having the fundraiser in Greenville.

- What kind of permit is required for the Gun and Knife Show?
(RESPONSE: The Fire Marshall requires a map of where everything is and the convention center has to obtain a permit for that.)
- Can any gun dealer come to this show?
(RESPONSE: The person in charge of the show would charge anyone to come in.)
- What is the privilege license fee currently based on?
(RESPONSE: There are different rates for different businesses. Privilege licenses are regulated by the General Assembly. In order to have the authority to charge a privilege license fee, the City has to have the State Legislature's permission. Certain businesses are charged different amounts. The City is given the authority to charge no more than a certain amount based on the type of business. If there is no limit, it is based on revenues.)

Mr. Bowen stated that it is not a non-profit having the gun and knife shows. The promoter comes in and gets people to rent from him for \$50 to \$60. He then charges five to six dollars for everyone coming in. Gun dealers who have businesses in Greenville have to pay taxes and have a privilege license. The promoter and vendors at the gun and knife shows have to do neither. Most of them don't have a place of business. There are probably 50 dealers at the gun shows who pay a minimal amount, rent a table, and receive the benefits of the business owners who have paid City taxes and fees. The people having the show don't have to worry about selling faulty merchandise. This is not a trade show. It will be held five times next year for up to seven continuous days. The intent of the ordinance was to have a limit of seven days a year. It is unfair for someone to be able to come into Greenville and operate a business like that. It costs him \$600 just to operate a business in the City this year. The promoter and vendors at the gun and knife shows pay much less than that and it doesn't go to the City. Mr. Bowen stated that he does not have a complaint with those who have it at the National Guard Armory, because they don't have to have a privilege license because they are outside the City of Greenville. If those operating at the convention center don't have to have a license from the City, he shouldn't have to have one. The group coming to Greenville five times in one year is too much.

Concerns expressed by the Mayor and Council and questions/answers given during this period include:

- The promoter has to pay the convention center a fee to use it, and the vendors have to pay a fee to set up. That is part of the overhead.
- Anyone has an opportunity to rent a space or pay an employee to do that.
- Is there a policy on the number of events that can be held each year?
(RESPONSE: There is a 30-day non compete period before and after the event when no one in the same business can have a show. The purpose of that is to not have overkill in the community.)

Mr. Bowen requested to be able to have a gun show in 2006, and he was asked to work with Ms. Tucker on that. She stated that he would have to follow the 30/30 non-compete clause.

City Attorney Holec stated that there was talk about only exempting non-profits. The best approach would be to treat them all equally.

The consensus of the Council was to take no action on this item.

AGREEMENT WITH MEDIATION CENTER OF EASTERN CAROLINA, INC. FOR A
“PEACE GARDEN” AT SHEPPARD MEMORIAL LIBRARY - APPROVED

Mr. Ken Jackson, Building and Grounds Superintendent, stated that the Mediation Center of Eastern Carolina, Inc. proposes to enter into a cooperative agreement with the City to create a Peace Garden at Sheppard Memorial Library, more specifically at the northwest corner of the Evans Street-Reade Circle intersection. Mediation Center of Eastern Carolina, Inc. will raise all funds for the material costs of the project (estimated at \$10,000), provide all promotion, maintain all files of donors, and provide yearly budgetary funds for the purpose of replacing materials or plants that have died or been damaged. The City will design/install the project, and provide maintenance of the garden. Mediation Center of Eastern Carolina, Inc., while providing funds for this enhancement project, will utilize this project as a fund raising effort for their organization. This project will include a brick walk connecting the existing sidewalks along Evans Street and Reade Circle along with shrubs, trees, and perennials. The resulting enhancement will provide an attractive landscape area at this key downtown location and provide an attractive garden for Sheppard Memorial Library. Willie Nelms, Director of Libraries, has been involved with this project and supports the effort.

Mr. Louis Clark of the Mediation Center stated that he is a volunteer Board member. He explained to the Council that the Mediation Center was started in 1989 and is a 501(c)(3). It has 87 active volunteers in the Teen Court, with 91 people having been served through this program in 2004-05. The continued mediation served 198 and truancy mediation served 319 in that same time period. The RESOLVE program served 73 youth and parents, 201 anger management and bully prevention youth, and 109 peer mediations in FY 2004-05.

Motion was made by Council Member Spell and seconded by Council Member Dunn to approve the agreement with the Mediation Center of Eastern Carolina, Inc. Motion carried unanimously. (Contract No. 1488)

REVISED CITY OF GREENVILLE AFFIRMATIVE ACTION STATEMENT – ADOPTED

City Manager Bowers stated that Goal 5 “Enhance Diversity” of the City Council Approved Goals for 2005 includes two action items addressing the City’s Affirmative Action Statement. The first action item assigns the City Manager the responsibility to appoint a staff committee to update and expand the City’s current Affirmative Action statement. Captain Eric Griffin of the Fire/Rescue Department chaired the committee to work on this document.

Mr. Eric Griffin explained that a committee established to revise the City of Greenville Affirmative Action Statement began meeting in June and met until November. The committee has representatives from each department. The committee worked diligently for the past several

months to draft a new Affirmative Action Statement. The proposed City of Greenville Affirmative Action Statement reads as follows:

“COPY”

City of Greenville Affirmative Action Statement

It is the goal of the City of Greenville to become a civic leader in creating opportunities for all who live in the area. The City’s objectives are to develop and promote positive programs that reflect, encourage, and increase diversity in the employment and promotional opportunities at all levels of the City’s workforce. The coordinator of the program is the City Manager, who, with the assistance of the Director of Human Resources, will develop and annually update an Affirmative Action strategy to fulfill this purpose. The City Manager will report annually to the City Council on the progress of implementing the current Affirmative Action program. All department heads and supervisors are charged with the responsibility for implementing the program in their departments.

Objectives:

Section 1: To promote the City of Greenville’s role as a civic leader in the promotion of job opportunities, each department is encouraged to develop programs, actions and methods to promote job vacancies within its department consistent with the City of Greenville’s Affirmative Action Statement. The various departments within the City of Greenville have developed and implemented numerous programs to promote employment opportunities such as job fairs, advertisements, and training for contractors in holding city projects and various community programs.

Section 2: The purpose of the Affirmative Action program is to showcase, create interest in, and develop dialogue within and between the various departments of the City in the execution of the Affirmative Action Statement.

Section 3: Each department within the City will submit an annual report to the Director of Human Resources on December 31 of each year, documenting the actions of the department for that year concerning the implementation of the Affirmative Action Statement. The report will contain a statement of the various actions or activities of the department to promote and implement the Affirmative Action Statement, the number and type of position vacancies for the year, the success of the department’s implementation programs, and any proposed improvements for the upcoming year.

Section 4: The Director of Human Resources will compile an annual report for the City Manager from the departmental reports. The City Manager will report to the City Council the results of the previous year’s activities and any proposed actions for the upcoming year. A copy of the final report should be distributed to each city department.

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City Manager Bowers stated that the requested action for tonight is endorsement of the statement. If Council gives endorsement, a resolution will be brought forward at a future meeting.

Motion was made by Council Member Spell and seconded by Mayor Pro-Tem Council to endorse the revised Affirmative Action Statement as a draft. Motion carried unanimously.

ACCEPTANCE OF GIFT OF PROPERTY FROM JIMMY AND EARLENE HITE – APPROVED

City Attorney Holec stated that on September 9, 2005, Jimmy Hite and Earlene Hite offered to make a gift to the City of property consisting of Lots 1, 2 and 3 of Applewood Subdivision. The property is a vacant 1.4-acre tract located on the north side of Greenville Boulevard, west of the Norfolk Southern railroad right-of-way, and near the intersection of Fourteenth Street. The property is being offered with two conditions: (1) that the grounds be maintained by the City and (2) that the City provide pedestrian access to the neighborhood along the north and west property line. After receipt of the letter offering the gift, the City had performed a Phase I Environmental Assessment of this property. This assessment concluded that there were no recognized environmental conditions in connection with the property that would require additional investigation.

Motion was made by Council Member Spell and seconded by Council Member Little to accept the gift with the requirements listed in their September 9, 2005 letter. Motion carried unanimously.

ACCEPTANCE OF GIFT OF PROPERTY FROM WALTER WILLIAMS - APPROVED

City Attorney Dave Holec stated that Walter Williams has offered to make a gift of the property located at 600 North Greene Street to the City. The property is a 200 x 200 foot lot with a flood damaged former gas station building located on it. Between 2001 and 2004, the City acquired several properties along North Greene Street through federally funded flood acquisition programs. This property is adjacent to some of the property acquired through these flood acquisition programs. Receipt of a donation of this property will give the City additional control of property along this corridor, which is a highly visible gateway into the City. Acceptance of the gift should be conditional upon any environmental issues having been appropriately addressed.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to accept the gift subject to the receipt of adequate assurance that any environmental issues with the property have been appropriately addressed. Motion carried unanimously.

EXCHANGE OF PROPERTY ON PORT TERMINAL ROAD WITH PITT COUNTY - APPROVED

Deputy City Manager Bill Richardson stated that the City has been assembling properties along the south side of the Tar River for the purpose of extending the City's greenway system to the

City's most easterly property near Homestead Cemetery. In this regard, City and County staff have had discussions regarding an equivalent land exchange on Port Terminal Road to enable the City to add to the greenway system and also provide beneficial property to the County. The City is interested in unimproved wooded County property of approximately five acres located on the west side of Port Terminal Road that would connect to contiguous City property located along the south side of the Tar River. City property offered as an equivalent exchange is located on the east side of Port Terminal Road, adjacent to the County's solid waste transfer station. This property is partially cleared and at one time was used by Greenville Utilities Commission for equipment and vehicle storage. It would allow for easy future expansion of the transfer station. Greenville Utilities staff has reviewed the particulars of the proposed land swap and has no objection to the exchange. The Pitt County Board of Commissioners met this morning and approved the exchange of property. Since the City parcel offered for exchange was originally acquired for the use of Greenville Utilities, the Greenville Utilities Commission Board of Commissioners will also be asked to approve the equivalent exchange at their meeting.

Motion was made by Council Member Little and seconded by Mayor Pro-Tem Council to approve the exchange of properties with Pitt County in which the City conveys approximately five acres of a portion of Tax Parcel Number 31486, which is directly adjacent to the County's solid waste transfer station, to Pitt County and Pitt County conveys approximately five acres of a portion of Tax Parcel Number 31487, west of Port Terminal Road, to the City and to authorize the execution of the necessary legal documents to complete the exchange. Motion carried unanimously.

GUIDELINE CHANGES FOR EXISTING DOWN PAYMENT ASSISTANCE AND ELDERLY REHABILITATION HOUSING PROGRAMS - APPROVED

Mr. Merrill Flood, Director of Planning and Community Development, stated that this item is being brought to the City Council after being considered by the Affordable Housing Loan Committee. Since the 1992 Series Bond, there have not been changes to the guidelines for affordable housing programs that were created. The Affordable Housing Loan Committee, in recognition of several factors that are changing in the market, has recommended a number of changes to the programs for consideration by Council. First, for the current Down Payment Assistance Program, which provides 2% in a form of a loan for first time homebuyers, the recommended change would be to increase that amount from 2% to 5%. The amount of funds available and what it takes to get into a house is changing since 1992 when these programs were first developed. Also, the payback period would go from a 24-36 months time period to at least a 48-60 months time period for repayment. In addition, the Loan Committee recommended raising the cap on the maximum sales price. Currently, the North Carolina Housing Finance Agency does a lot of research in and around the area of affordable housing and they have separate program guidelines for the ceiling in which they will make loans available. Oftentimes, this can cause a conflict because City programs may allow assistance up to one amount and the Housing Finance Agency, which the City utilizes for other funds and guarantees, would have a different ceiling. This would bring the City's programs in line with the Housing Finance Agency. Additional changes would be to the Elderly Rehabilitation Program, which would raise the ceiling from \$15,000 in the form of a loan to \$20,000 and the payback period from 10 years to 15 years. Additionally, the age limit would also be recommended to change from 62 to 55 with

those persons that have a demonstrative disability. This is viewed as a realignment of the program policies for today's market since the programs were originally created 13 years ago. There is also a summary of program highlights in the City Council's agenda packets detailing how that \$1 million has been spent since 1992. The City is on its second revolving of those funds and Council can see from the report that there has been quite a bit of activity with those funds and monies leveraged as a result of it.

Upon being asked whether the interest is being raised from 2% to 5%, Mr. Flood stated that the assistance amount is being raised from 2% to 5% of the purchase price, but there is still no interest paid.

Motion was made by Council Member Glover and seconded by Council Member Little to approve the recommended changes. Motion carried unanimously.

AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY FOR A BROWNFIELDS ASSESSMENT GRANT - APPROVED

Mr. Carl Rees, Senior Planner, stated that the United States Environmental Protection Agency is accepting proposals for Brownfields assessment, revolving loan fund and clean-up grants. These grants are part of the 2002 Small Business Liability Relief and Brownfields Revitalization Act, which expanded federal assistance for the assessment and mitigation of environmental hazards associated with contaminated commercial and industrial sites. Proposals for the current round of funding are due by December 14, 2005. Staff seeks authorization from the City Council to pursue Brownfields assessment grant funding for the identification of environmental hazards at several locations within and in close proximity to the City's targeted revitalization area. The City previously sought EPA funding for Brownfields assessment in 2002 and 2004 for the junkyard site located along North Greene Street, immediately north of the Tar River. Neither proposal was funded. However, the Ferguson Group has suggested submitting a community-wide assessment application as opposed to the site-specific assessment applications that were submitted in the past. If awarded, the City could receive up to \$200,000 in funds for environmental assessment, with no local money required. These monies will also contribute toward removing the stigma of environmental contamination and leverage investment in underutilized areas within the City's Urban Core.

Motion was made by Council Member Dunn and seconded by Mayor Pro-Tem Council to authorize the City of Greenville to pursue EPA Brownfields Assessment Grants and to authorize the City Manager to sign and submit the grant proposal. Motion carried unanimously. (Document No. 05-13)

AUTHORIZATION TO SUBMIT A GRANT APPLICATION TO THE NORTH CAROLINA PARKS AND RECREATION TRUST FUND FOR IMPROVEMENTS TO THE AQUATICS AND FITNESS CENTER - APPROVED

City Manager Bowers informed the Council that the 20-year lease between the City and Eastern Carolina Vocational Center (ECVC) for the Aquatics and Fitness Center site expires on October 9, 2006. The Recreation and Parks Department staff has considered several options for the

future of the Aquatics and Fitness Center, including turning over the operations to another entity, continuing the operation as is, and closing the Center at the end of the lease. With the future operation of the Center undecided and the lease scheduled to expire soon, no funds have been expended in recent years to make major repairs or improvements to the facility. Also, since the Center has always operated as an enterprise fund with revenues sufficient only to cover operating costs, no funds have been available to reinvest in the facility. At this time, due to the lack of reinvestment in recent years, the Center needs significant renovation. A large expense will be making improvements to the pool including structural repairs and pumping system improvements. Total estimated cost to renovate the Center is \$500,000. It was felt that the City should not invest this amount of money in a facility that is not owned or at least under long-term lease to the City. Discussions with ECVC management indicate that ECVC would like for the Aquatics and Fitness Center to continue to operate in its current location. In order to place the property under City control, ECVC management has tentatively agreed to deed the property to the City for use as an Aquatics and Fitness Center. If the City were to acquire the property as a gift from ECVC, this donation would serve to resolve the issue of investing renovation funds in a non-City owned facility and, in addition, the value of the donation could be used as matching funds for grants. The Recreation and Parks Department is requesting City Council approval for applying for a North Carolina Parks and Recreation Trust Fund (PARTF) grant. This is a 50/50 matching grant for development of parks and recreation facilities. The maximum allowed amount of the grant is \$500,000, which should be sufficient to make the required renovations at the Center.

Mr. Boyd Lee, Director of Recreation and Parks, stated that Dan LeRoux is willing to work with the City so that it doesn't have to use as much money or put forth any funds for construction. The money cannot be used for equipment. Approximately \$100,000 worth of new equipment needs to be purchased at the Center. The membership was surveyed to ask how they feel about increased dues; 23% said they were not in favor of an increase in dues and 77% said they would gladly pay whatever it takes to move forward and get new equipment. If the grant is received, staff will ask that the City pay the money and get reimbursed through an increase in dues. The largest increase ever was \$3 a month. To pay off this money, the increase would need to be a minimum of \$4 a month and a maximum of \$16 per month. The agreement needs to be in place in order to apply for the grant funds, and the application is due by January 31. It will be spring before it is known if the grant application is approved. The dues are currently \$252 per year for a single person membership. One of the requirements of the agreement is that the facility will be used for a recreational facility; otherwise, the ownership will revert back to the Eastern Carolina Vocational Center. There are currently 1422 memberships, and each of those can be for more than one person. The membership declined each year since 1995 and has recently declined. He is concerned as to whether there is a need for that type of environment in light of all the new facilities in town. However, this facility is needed by and is affordable for people who cannot go to other facilities. The Center has been self-supporting. The City has not had to subsidize it every year; however, it has been a struggle to keep it going since the flood. During the past 20 years, the most it has cost the City is \$20,000.

Upon being asked if the City accepts the gift, receives the grant and starts losing money five years from now, whether the City will be liable for anything as far as the grant is concerned, City Attorney Holec replied that there is a requirement that it would be used for 25 years for recreational uses.

Council Member Glover asked for information on how many employees go to the Aquatics and Fitness Center. She further stated that she has been going to Viquist for therapy and they offer a scholarship for the elderly. That might cause a decline in the number of elderly numbers as well. Viquist has the professionals.

Mr. Lee stated that the Aquatics and Fitness Center had referrals from the hospital at one time; however, now they go to Viquist. The City's membership of \$253 a year for an individual is very attractive.

Council Member Council suggested that the City advertise more. When the Center first opened, low-income people found it useful. This is a very good service to offer citizens.

Mayor Parrott expressed concern about having the property tied up for 25 years.

Motion was made by Mayor Pro-Tem Council and seconded by Council Member Dunn to approve the application to apply for these grants and to approve that staff continues negotiations with ECVC to acquire the Aquatics and Fitness Center property as a donation to the City. Motion carried unanimously. (Document No. 05-14)

CURBSIDE REFUSE COLLECTION FEASIBILITY STUDY

City Manager Bowers stated this is also one of the City Council's objectives for the year, which is for City staff to prepare a report on the possibility of moving from the current system to a curbside only refuse collection system.

Mr. Tom Tysinger, Director of Public Works, stated that in the agenda package, the City Council has the feasibility study report of curbside refuse collection and a survey comparing the City's solid waste services to 13 other cities in North Carolina. One of the City Council's 2005 goals was to organize services to meet the needs of the citizens. The first step of meeting this objective was to study the feasibility of transitioning to curbside refuse collection and the report is the result of that work. The City began offering curbside service in 1993. At that time, citizens were given an option of backyard or curbside service. Citizens were also offered the two-tiered refuse fee where backyard was more expensive than the curbside service. Today, the current fees are \$17 for backyard service and \$8 for curbside service. This was established in the fall of 2002 and that was the last time changes were made to the services. Currently, the City serves approximately 32,600 households for solid waste collection and of that 17,100 are multi-family units and 15,500 are single-family units. Of the 15,500, 9,500 are served in the backyard and approximately 6,000 are served at curbside. There has been a steady trend to convert from backyard to curbside. This year alone, they have sold approximately 800 roll-out containers to citizens who were converting from the backyard to the curbside. The main cause of that is because of the differential in fees. People want to pay the lesser fee. This past fall, service was changed to pick up recyclables, refuse, and bulky trash all on the same day at each individual household.

Mr. Tysinger stated that for the purpose of this study, staff has focused on a semi-automated system, which means that they will continue to use a three-person crew, rear loader trucks that

are currently being used to dump carts into the truck at the rear. The staff's ultimate goal is to transition to a fully automated system, which would allow them to use one to two-persons crews with a specialized automated truck. This requires replacement of their total fleet of rear loaders. The cost of that replacement, which would be a one-time replacement, would be approximately \$1.25 million. Due to that large capital expense, staff is proposing to go to semi-automated service, getting everybody pulling to the curbside. As they replace vehicles, they would replace them with a fully automated system and that might take several years once they start that process. Converting to an all-curbside service will present some challenges. There will be citizens' concerns from some of those approximately 9,500 backyard customers who will be required to bring their carts or containers to the street. All citizens will be required to roll their containers to the street and take it back to their house at a given time or during a certain period. This will result in additional code enforcement efforts to make sure that people abide by the rules so that the carts are not left at the streets creating an ugly situation. There will be a reduction in workforce; very gradual at the first when they are doing the semi-automated and more frequently as they convert to fully automated. It is their commitment to still handle that reduction in workforce through attrition so that nobody would lose their jobs. Then, there is impact on revenues. Depending upon how they chose to go, the impact on revenues would be different. Mr. Tysinger summarized five options that staff looked at.

- Option #1 would involve an immediate conversion to all curbside service. Citizens would purchase their roll-out containers from the City and would be able to finance the containers if they did not want to pay for them upfront, which would be done through their monthly fee. This is keeping with how the curbside system has evolved over the last several years with citizens actually buying carts from the City. There would be no change in the curbside fee. It would continue at \$8. The impact on the General Fund would be approximately \$691,000. The number of people who would begin paying a lesser fee determines that. They would go from \$17 to \$8 a month. They also factored in a savings of one crew and one truck, which is approximately \$260,000.
- Option #2 is also an immediate conversion to all curbside service. The City would provide the roll-out containers to citizens who are currently receiving backyard service. This would be a significant capital outlay of approximately \$427,000. The impact on the General Fund for this option is estimated at \$1.118 million.
- Option #3 is also an immediate conversion. The City provides roll-out containers to all citizens, not just the citizens who are serviced in the backyard. The containers would be given to the ones who bought them in the beginning to be fair. It would be a significant capital outlay for carts of almost \$700,000 and would have a negative impact on the General Fund of \$1.33 million.
- Option #4 is called the revenue neutral option, which means that this option will not have a negative impact on the General Fund. It also involves an immediate conversion to all curbside service. The citizens would purchase the roll-out containers from the City and the City could finance them. The refuse fee for the single-family household would increase from \$8 to \$11 per month. The refuse fee for multi-family would remain at \$8 per month. Even

though they would come to curbside, that service actually costs the City a little bit more than what is provided to the multi-family units through the dumpster service that is provided.

- Option #5 is to continue current services for one to two years and heavily promote the conversion to curbside service which means to advertise the savings that citizens would have by going from backyard to curbside service. The City would continue the existing refuse fee system and all new developments and annexed areas would receive only the curbside service. The City would basically stop offering the backyard service and began trying to get the people who currently do backyard to convert to curbside. At some point in time within that first year, Staff would consider conversion to all curbside. The theory is that they would reduce the 9,500 backyard service down to some lesser number. The number that they would have to convert would be fewer. Option #5 would have a negative impact of approximately \$195,000. That is calculated by an estimated 3,000 households converting from backyard to curbside.

Upon being asked whether the fees will remain the same, Mr. Tysinger responded that the fee system with Option #5 would remain the same.

Mr. Tysinger described the Option Comparison Table of the five options. He stated that basically all but the last one are immediate conversions, variations in the City and the citizens providing the carts. Only Option #4 causes for a fee change to make it revenue neutral. That is the one that has the least impact on the General Fund.

Mr. Tysinger stated that all but three of the cities that were surveyed are strictly curbside programs. The staff is finding that more and more cities are going to the curbside service. Some of those cities have already converted to a fully automated service. Raleigh took a huge step by going from twice a week backyard service to a once a week curbside service, fully automated, which means they bought a completely new fleet. They did have to lay off a number of employees as a result of that change.

Upon being asked whether Raleigh charges an extra fee, Mr. Tysinger stated he is not sure and that staff would check to see whether Raleigh is charging an extra fee.

Mr. Tysinger stated that many of these cities have provided curbside service for many years i.e., Burlington (15 years) and Asheville (12 years). Jacksonville is getting ready to change next fiscal year.

Upon being asked whether they are changing all at one time, Mr. Tysinger responded yes.

Mr. Tysinger stated that the refuse fee charges vary significantly. Every city does something a little bit different and as a result their fees are different. Most of these fees do not meet the true cost of the service. In Greenville's case, the City is paying for all of the direct costs and some of the indirect costs with fees.

Upon being asked approximately how much the City is losing per year, Mr. Tysinger stated that revenue projection for this year is approximately \$3.9 million, which covers the direct cost of

the service that the City is providing today. The last number that the staff saw is still approximately \$4.3 million, which included the indirect cost.

Mayor Parrott stated that in his opinion, the refuse collection should be handled like an enterprise fund and it should pay for itself. He wouldn't expect it to make money, but he would expect it to break even.

Mr. Tysinger stated that is the City's ultimate goal to convert it to an enterprise fund. The only city of this group that is in an enterprise fund is Wilmington.

Council Member At-Large Dunn stated that there is not anything more basic for the public welfare and the sanitation of a city than the handling of garbage. People pay taxes. It is not a fringe benefit and something extra that citizens should pay an additional fee for. The City is into the garbage fees, and she doesn't think that the City can get out of it.

Mr. Tysinger responded to the following questions.

- If the City does transfer to complete curbside system, is there any provision to allow people who are elderly or disabled and anyone who would have a problem with curbside to keep some kind of backyard service or some kind of assistance with curbside service?
(RESPONSE: The City has a program in place now. If a citizen contacts the Public Works Department in the case that they are handicapped or elderly to the point that they cannot handle rolling out a cart, there is a form that is completed and signed by their doctor that indicates their illness or ailment and whether it is not permanent, etc. When the Public Works Department receives the completed signed form and investigates, and if everything is as indicated in the form, then the citizen is placed on a list and a City crew will roll their cart to the street and dump it.)
- Will they be treated as if they had curbside service as far as paying the fee?
(RESPONSE: Yes.)
- If the City went with Option #5, would it be by attrition? Then, as the service expands, will employees be assigned to different areas and the City actually wouldn't lose any employees?
(RESPONSE: It would be a combination of reassignment and attrition meaning that when people retire or change jobs, or for whatever reason, the City would just not fill the vacancy.)

Mayor Parrott stated that he agrees with Council Member Dunn. He does not believe that any of them are in favor of additional fees or taxes, but if there is a shortfall it has to come from somewhere. It is not free. It is either going to come through the fee that the City charges or it is going to come out of the General Fund, which is basically sales tax and property tax.

Mr. Tysinger stated that in the survey, roll-out carts are provided by the City in every City other than Greenville. Certainly, the citizens ultimately pay for it, but in Greenville, they have transitioned from backyard to curbside voluntarily. They have paid either by purchasing a cart directly from us or providing one that is equivalent from some other location.

Mr. Tysinger responded to the following questions.

- Does the City just offer a one size cart?
(RESPONSE: The City offers two sizes, but the City does not differentiate in the fee. Wilmington does. The reason City charges the same price for the fee is because every property owner pays a tipping fee. When waste is taken to the landfill or the transfer station, the cost to the City is truly the cost to pick up and deliver it because the property owner pays the tipping fee. In the case of Wilmington, that fee includes their tipping fee. So, when a citizen pays \$19 per month for a 90-gallon cart and \$16 per month for a 40-gallon cart, the differential in the fee is that, it costs less to dump that at the landfill because the tipping fee is less.)
- In the survey where there is city contractor, does that mean that the city has contracted that service out to a private contractor?
(RESPONSE: Yes. The city is responsible for the service, but they are using a private contractor to do it.)
- In the survey, if there is a slash does that mean that part of the responsibility is city and part is contractor?
(RESPONSE: No. There are some places where the contractor is truly responsible for the city. The city is responsible for providing the service. They choose to hire a contractor rather than to have their workforce.)

City Manager Bowers stated that in relation to the question about the differential fees for different size carts, Mr. Tysinger makes a good point. That is usually more prevalent when a city is trying to recover its landfill costs because it cost just about the same to go pick up the container no matter what size it is. The cities have still got to have the people to go out there. The real savings is at the landfill where it is taking up less volume. A volume-based system would be difficult to do here since everybody is paying the same. Also, those communities that are trying to reduce the volume to the landfill generally go to the volume-based system because it does encourage recycling. If citizens could recycle more, less goes in their garbage containers, but again Greenville does not have that incentive here because the City does not have a volume-based landfill charge.

Mr. Tysinger responded to the following questions.

- Is it costing the City a lot to do the curbside and the backyard services?
(RESPONSE: It is costing the City more than a pure curbside service. Staff thinks that it does service about as efficiently as it can be done. Greenville is unique in the State. Staff can't find a city the size of Greenville that is providing this service, but it could be provided cheaper at the curb.)
- Is a phase in system suggested in Option #5 and will there be some transitional period?
(RESPONSE: Yes. Staff is proposing one to two years and to evaluate the system at the end of the first year. There would be advertisements in the paper asking citizens to bring their refuse to the curbside and save \$9 a month on their bills in order to get people to convert.)

City Manager Bowers stated that it is his understanding that the City has been on a phased-in system since 1993.

Mr. Tysinger stated it is the same, but they have just not been publicizing it.

City Manager Bowers stated that this would be a more intense phase in. The problem with the City's present system is that people who choose to go to the curbside are spread out through the system; there is no concentration of curbside people. It does not take advantage of either having benefits of all backyard or the efficiencies of all curbside.

Council Member Dunn stated that she would like to see if the City could promote more recycling. All the garbage goes in the land and there is only so much land. Some garbage is now being sent to other counties. There are states north of us that are buying land in eastern North Carolina counties to bury garbage. It doesn't cost anything to take it to the recycling center. There are about 75 people employed there, and it is self-supportive. It doesn't cost the City except to transport it there, but the City does not have a tipping fee. She is not aware of any programs that give people an incentive to seriously recycle.

Council Member Spell stated that he agrees and he routinely has more recycling at the curb than garbage. If the City could get more people doing that it would save a lot of volume.

Mr. Tysinger stated that is an excellent thought and idea but crews are still going to the houses to pick it up. Service cost is going to still be the same whether there are more recyclables or more garbage.

Mr. Tysinger responded to the following questions.

- Is everybody restricted to one cart?
(RESPONSE: No. Citizens could have more than one. There is a limit of three 30-gallon cans per household and staff would equate that.)
- Has staff looked at the contractor side of it?
(RESPONSE: Yes. Some of these in the survey are private contractors, but their fees are just as expensive as those of the City of Greenville. The one thing that staff hears more than anything is that when there is a private hauler, the service will be the same as that provided by the City. If a citizen is missed or forgets to roll a cart out, the contractor will not come back to service that citizen. Typically, they will not do a good job of cleaning up behind citizens so the personal service goes away with the private hauler. There have been cities that have gone to private haulers and have converted back to a city force. Charlotte is still evaluating and is using city forces on some routes and private haulers on some routes.)

Mayor Parrott stated that the City would lose control when that is done. Just looking at Burlington with the private contractors at \$11.60 per month and Goldsboro's city forces at \$15, there are a lot of differences there as far as service is concerned.

Mr. Tysinger stated that staff could look at those two possibly and find out whether they are providing the exact same service and the private contractors are doing it cheaper. He would not deny that, but if staff looked at them very closely, they would find that there were differences in their operations that would account for the majority of differences in fees.

Mr. Tysinger responded to the following questions.

- What are the prices of the City carts?
(RESPONSE: The costs are \$59 for a 90-gallon and \$54 for a 64-gallon cart. That is the City's cost plus the 5% administrative and handling fee. One is not going to get it cheaper than that.)
- If the City goes automated with a machine, would the citizens have to have a different cart?
(RESPONSE: The carts that they have sold now for almost four years are adaptive to that system. The carts that were sold prior to that are not, and staff would have to work out some kind of system to swap those carts out.)
- Are those carts pretty durable?
(RESPONSE: Yes. They have very little problems with them once crews go in the field. When they start using the mechanical equipment on them, the life of the carts will probably be shorter.)
- Options 4 and 5 have the less impact on the General Fund. What does staff want from them tonight? Does staff want a recommendation from the City Council or is this just for their information?
(RESPONSE: It is here for the City Council for discussion. If the Council wants staff to come back and talk about it later, staff could do that. If the City Council is ready to make a selection, staff could make that work, too.)

Mr. Tysinger stated that in closing, the curbside refuse collection program would provide a more efficient service. The immediate transition will result in some operational challenges. The sooner staff knows that is what the City Council is interested in doing, the better they can plan. Staff will develop an implementation plan based upon whatever option is selected, and staff would like to initiate it if at all possible beginning in July 2006.

Council Member Little stated that he believes that they should probably start moving toward the curbside service. He would be more in favor of a gradual approach then just starting fresh and maybe coming back with a scenario as to how that would be phased in to get the City to that point in July.

Council Member Dunn stated that a little time should be spent on helping the citizens make this transition. People like this garbage pickup. People have things that they complain about all the time; garbage pickup is not one of them. They are trying to fix something that people are not complaining about. She spoke at the Civic Club the other week, and a man in the audience stated the City has the best system that he ever had.

Mayor Parrott stated that it is very expensive.

Council Member Little stated that but it's break even for the most part.

Council Member Glover stated that the only problem with curbside is code enforcement and compliance.

Mr. Tysinger stated that is a challenge but by converting another 10,000 customers to that they are going to have to do more of it and they would have to do more in the beginning to get people accustomed to doing the right thing.

Council Member Little stated that should be part of the plan on how staff envisions implementing Option #5. This is just not going to curbside; Council also needs to know how the City is going to handle having 10,000 new trashcans brought in and having people to buy them. It will be a big transition.

Mr. Tysinger stated that if the City Council would go with Option #5, Staff will reevaluate after the first year including seeing how many backyard customers that they have, make a decision if they want to go the first year and convert over or go to the second year and convert over.

Council Member Little stated he wants to see more detail and how it is going to work before he decides that Option #5 is the way to go.

Motion was made by Council Member Craft and seconded by Mayor Pro-Tem Council to instruct staff to come back with a detailed plan on how to implement Option #5. Motion carried unanimously.

AWARD OF CONTRACT FOR A STREETSCAPE PLAN FOR CENTER CITY AND WEST GREENVILLE - APPROVED

Motion was made by Council Member Spell and seconded by Council Member Little to authorize the Redevelopment Commission to enter into a contract agreement not to exceed \$135,00 with the Urban Resource Group. Motion carried unanimously. (Contract No. 1489)

AWARD OF CONTRACT AND RESOLUTION FOR NORTH GREENE STREET STREETSCAPE PROJECT - APPROVED/ADOPTED

Motion was made by Council Member Spell and seconded by Council Member Little to award a construction contract for the North Greene Street Streetscape Project to Lanier Construction Company, Inc. in the amount of \$229,877.10 for the base bid and to approve the resolution requesting a Concurrence in Award from NCDOT for the portion of the project that will be funded by the Enhancement Grant. Motion carried unanimously. (Contract No. 1490; Resolution No. 05-94)

AWARD OF CONTRACT FOR THE PLANNING AND DESIGN OF THE SOUTH TAR RIVER GREENWAY PROJECT - APPROVED

Motion was made by Council Member Spell and seconded by Council Member Little to award a professional services contract to Stewart Engineering, Inc. in the amount of \$161,743.19 for the planning and design of the South Tar River Greenway Project (TIP Project No. E-4702). Motion carried unanimously. (Contract No. 1491)

CHANGE IN CAPITAL OUTLAY THRESHOLD - APPROVED

Motion was made by Council Member Spell and seconded by Council Member Little to approve the recommendation to change the Capital Outlay threshold from \$500 to \$5,000. Motion carried unanimously.

BUDGET ORDINANCE AMENDMENT #5 TO THE 2005-2006 CITY OF GREENVILLE BUDGET - ADOPTED

Motion was made by Council Member Spell and seconded by Council Member Little to adopt the ordinance approving budget amendment #5 to the 2005-2006 City of Greenville Budget. Motion carried unanimously. (Ordinance No. 05-147)

GREENVILLE UTILITIES COMMISSION CAPITAL PROJECT BUDGET ORDINANCE AMENDMENT FOR THE ALLEN ROAD/GREENVILLE BOULEVARD WATER TRANSMISSION MAIN, PHASE III – ADOPTED

Motion was made by Council Member Spell and seconded by Council Member Little to adopt the ordinance amending Greenville Utilities Commission Capital Project Budget for the Allen Road/Greenville Boulevard Water Transmission Main, Phase III. Motion carried unanimously. (Ordinance No. 05-148)

2006 CITY COUNCIL MEETING SCHEDULE - APPROVED

Motion was made by Council Member Craft and seconded by Council Member Dunn to adopt the 2006 City Council Meeting Schedule as attached. Motion carried unanimously.

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2006 CITY COUNCIL MEETING SCHEDULE
ALL MEETINGS ARE HELD IN THE CITY COUNCIL CHAMBERS UNLESS
OTHERWISE NOTED

January 9—6:00 PM
January 12—7:00 PM
January 23—6:00 PM
January 28—Annual Planning Session--Time and Location TBD

February 6—6:00 PM
February 9—7:00 PM
February 20—6:00 PM

March 6—6:00 PM
March 9—7:00 PM
March 20—6:00 PM

April 10—6:00 PM
April 13—7:00 PM
April 24—6:00 PM

May 8—6:00 PM
May 11—7:00 PM
May 22—6:00 PM

June 5—6:00 PM
June 8—7:00 PM
June 19—6:00 PM

August 7—6:00 PM
August 10—7:00 PM
August 21—6:00 PM

September 11—6:00 PM
September 14—7:00 PM
September 25—6:00 PM

October 9—6:00 PM
October 12—7:00 PM
October 23—6:00 PM

November 6—6:00 PM
November 9—7:00 PM
November 20—6:00 PM

December 11—6:00 PM
December 14—7:00 PM

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DISCUSSION OF COUNCIL LIAISON TO REDEVELOPMENT COMMISSION AND YOUTH COUNCIL

Council Member Glover stated that there has never been a Council liaison for the Redevelopment Commission. She stated that there had been discussion about not having one by the Council; however, it was not reflected in the minutes. Council Member Glover stated that the Council chose not to have a liaison so the Redevelopment Commission would not become a political board. She asked that the Council take official action on this issue.

Motion was made by Council Member Craft and seconded by Council Member Little to have a Council liaison to the Redevelopment Commission and the Youth Council. Motion carried unanimously.

Council Member Little stated that two boards had just been created. The policy of the Council is to have liaisons to boards and commissions that are appointed by the Council. The Redevelopment Commission is an official board appointed by City Council. Anybody can go to the meetings; however, there still needs to be a Council liaison.

Mayor Pro-Tem Council stated that if the Council liaison votes, there does not need to be a liaison. She was informed that the Council liaison on the Redevelopment Commission would not be a voting member. There are very few boards and commissions that have a voting Council liaison.

REPORT ON BIDS AWARDED

City Manager Wayne Bowers referred the Council to bids that had been awarded as follows:

<u>Date</u>	<u>Item Description</u>	<u>Awarded To</u>	<u>Amount</u>
11/15/2005	14 (ea.) 2006 Ford Crown Victorias with Police Package (State Contract Purchase)	Capital Ford, Inc.	\$291,670.20

COMMENTS FROM MAYOR AND CITY COUNCIL

Council Members gave comments.

CITY MANAGER'S REPORT

City Manager Bowers thanked the Council Members for meeting with the IACP last week regarding the Chief of Police search.

City Manager Bowers reminded the Council that it approved a new contract with the Ferguson Group that incorporates the City and the County working together. The Ferguson Group representatives will be here the 6th and 7th working with the city and County to obtain an agenda. A joint agenda will be put together to be brought back in January. The Ferguson Group will be at the National League of Cities meeting in Charlotte and encourages everyone to look them up in Charlotte.

CLOSED SESSION

Motion was made by Council Member Craft and seconded by Council Member Little to go into closed session (1) to prevent the disclosure of information that is privileged or confidential pursuant to the law of this State or of the United States, or not considered a public record within the meaning of Chapter 132 of the General Statutes, said law rendering the information as

privileged or confidential being the Open Meetings Law (2) to establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease (3) to discuss matters relating to location or expansion of industries or other businesses in the area served by the public body and (4) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee, or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. Motion carried unanimously.

RETURN TO OPEN SESSION

Motion was made by Council Member Craft and seconded by Council Member Little to return to Open Session. Motion carried unanimously.

ACTION

Motion was made by Council Member Craft and seconded by Council Member Glover to provide merit increases to the appointed officials in the following amounts: City Attorney Holec--\$5000; City Manager Bowers--\$3000; City Clerk Elks--\$2000 to be effective the pay period beginning December 24. Motion carried unanimously.

ADJOURN

Motion was made by Council Member Craft and seconded by Council Member Spell to adjourn the meeting at 10:15 p.m. Motion carried unanimously.

Respectfully submitted,

Wanda T. Elks, MMC
City Clerk